Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

NOV 27 1995

In the Matter of Network/Affiliate Programming Practices Revision of Programming Policies for Television Broadcast Stations	)	MM Docket No. 95-92

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REPLY COMMENTS OF NATIONAL BROADCASTING COMPANY, INC.

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SUMMARY

In a marketplace characterized by abundant competition and diversity of programming outlets and sources, there is no public interest basis for government rules that prohibit networks and stations from working out normal, market-driven contractual arrangements on a constructive, mutually agreeable basis. Fundamental principles of licensee responsibility, including a station's ultimate right to decide which programs it broadcasts, can and will be incorporated into network/affiliate arrangements without government interference. These arrangements will also recognize the critical importance of strong local stations serving local communities to the long term viability of the network/affiliate system.

The rules in question were adopted in 1941, when there were two radio networks and most markets had only two or three radio stations. The marketplace has changed radically since then, even for television. Television networks do not have market power, or even undue bargaining power over their affiliates. It not the case that without government interference stations have no choice but to agree to whatever terms a network demands. In today's marketplace, networks and their affiliates have a constructive partnership in which both sides have bargaining leverage, and stations are free to accept or reject network contract proposals. When stations can choose among six networks or, as independents, have access to a vibrant syndication market, neither competition

policy nor the public interest requires the Commission to sit at the network/affiliate bargaining table to make sure one side doesn't get a better deal than the other.

In 1980 the Network Inquiry Special Staff determined that the network/affiliate rules did not foster competition, diversity or localism. Instead, the Staff found that the restrictions reduced the efficiency of the network/affiliate system and had other "undesirable results." No party to this proceeding has demonstrated that marketplace changes have undermined the validity of these conclusions.

NERA's economic study, submitted in conjunction with the comments of the Network Affiliated Stations Alliance, comes to the preposterous conclusion that none of the marketplace changes that have swept through the television industry in the last 15 years, including the upheaval following the 1994 Fox/New World deal, has affected the relative bargaining power of networks and affiliates. Any study that comes to a conclusion that is so at odds with reality and common sense simply cannot be taken seriously. Moreover, the NERA Study is riddled with analytical flaws and fails to prove its premise that there has been no change in the relative bargaining power of networks and local stations. On the other hand, several parties have demonstrated that dramatic changes in the competitive landscape over the past

15 years (and certainly since the rules were adopted in 1941) support and reinforce the findings and conclusions of the Network Inquiry Special Staff. The burden, therefore, is on the proponents of the rules to demonstrate why the Commission at long last should not adopt the Special Staff's recommendations and repeal the rules. This burden has not been sustained, and the rules should be eliminated.

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REPLY COMMENTS OF NATIONAL BROADCASTING COMPANY, INC.

National Broadcasting Company, Inc. ("NBC") files these Reply Comments in response to the Comments filed in this proceeding by various parties supporting retention of the network/affiliate rules.

I. THERE IS NO PUBLIC INTEREST BASIS FOR RETENTION OF THE NETWORK/AFFILIATE RULES. THE ISSUE OF LICENSEE IS NOT INVOLVED

The proponents of retaining the network/affiliate rules contend that these restrictions are essential to the preservation of local broadcast service and local licensees' control over their programming. NBC fully endorses the well-established proposition that a local station licensee is fully responsible for the programs it airs. But that is not what is at stake here. The question is whether government micro-management is needed, or whether the general rule of licensee responsibility is sufficient.

We contend that government regulation in this area is simply unnecessary. Networks are just as committed to local programming service as their affiliates. As NBC has repeatedly pointed out in this and other proceedings, local service is what distinguishes free, over-the-air broadcasting from its growing competition, and it is critical to our success in the multichannel marketplace. NBC's arrangements with its affiliates permit them ample time for local programming, and permit unlimited preemptions for local news and programming the station deems unsuitable for its community.[1] In addition, licensee control over which programs are presented to viewers is a bedrock principle that will be unaffected by the elimination of the 55 year old rules at issue in this proceeding. The Commission

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[1] Joint Comments filed by Cosmos Broadcasting Corporation and other station owners completely misstate and mischaracterize the terms of NBC's new affiliation contract. For example, the contract does not, as the Joint Comments contend, obligate affiliates to carry "all" network programs, and there is no contractual obligation to broadcast programming that an affiliate wants to reject. Indeed, the contract expressly contemplates placement of programs an affiliate chooses not to carry on another station in the same market. "Permissible" affiliate preemptions are not "limited" by the contract. An affiliate is totally free to preempt NBC Network programming for local news, or if it believes the program is unsuitable for its community. In fact, the contract does not provide for financial consequences unless the station exceeds the negotiated, agreed upon number of preemptions for reasons other than news or local unsuitability. There is no "time optioning," since NBC has committed to providing all the specific programs that the affiliate agrees to clear. As NBC has stated previously, the terms of the new affiliation contract were agreed to in market-driven negotiations that were successfully concluded in a manner acceptable to both parties.

stated when it abolished the right to reject rule for radio,

> "[T]he importance of licensee responsibility, and freedom from restraints on exercise of licensee programming judgment, have by now been set forth in well-known Policy statements [citations omitted]. These make unnecessary the maintenance of specific rules embodying the concepts." Network Broadcasting by Standard AM and FM Stations, 63 FCC 2d 674, 679 (1977).

The real issue, therefore, is not, as the proponents contend, local choice versus national control. The issue is whether, in a marketplace characterized by abundant competition and diversity of programming outlets and sources at both the national and local levels, there is any public interest basis for rules which prohibit the parties to an arm's length negotiation over the terms of network affiliation from working out on a mutually agreeable basis such normal, market-driven contractual terms as exclusivity and the extent to which affiliates are responsible for clearing network programs. The network/affiliate rules should not be retained to protect the profit margins of stations who prefer to be network affiliates because it is more lucrative than operating as an independent, or who believe government interference gives them a bargaining advantage in network/affiliate negotiations. They should only be retained if the Commission determines that the marketplace and the relationship between networks and stations is no different than it was in 1941: that without government interference, stations have no choice but to agree to whatever terms a network demands, including those which are contrary to the public interest. Nothing submitted by the rules' proponents supports such a determination. NBC submits there is no longer any public interest justification for a government prohibition that keeps normal contract terms off the network/affiliate bargaining table.

Moreover, the rules in question are not merely a "safety net," causing no affirmative harm to the network/affiliate system or the public, as their proponents contend. As the Commission's Network Inquiry Special Staff ("NISS") concluded in 1980, the rules have "several undesirable results," including biasing affiliation choices away from over-the-air stations and toward distribution technologies not affected by the rules, and reducing the profitability of both existing and new networks.[2] By reducing the efficiency of the network distribution system, the rules also reduce the potential quality of network programming and thereby impose costs on viewers and advertisers. For example, uncertainty over clearances may dampen a network's willingness or ability to make substantial investments in new and innovative programming. Competitors to the broadcast networks, whether they be national broadcast syndicators or cable programmers, are not similarly limited in the types of contractual arrangements they can make with local stations and cable operators. Ultimately, this puts broadcast networking at an unfair competitive disadvantage.

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[2] New Television Networks: Entry, Jurisdiction, Ownership and Regulation, Final Report (October 1980), Vol. I at p. 490 (hereinafter "NISS Report").

II. THE NETWORKS DO NOT HAVE MARKET POWER OVER THEIR AFFILIATES. THEREFORE, THERE IS NO PUBLIC INTEREST JUSTIFICATION FOR REGULATORY INTERFERENCE IN THE NETWORK/AFFILIATE BARGAINING PROCESS

The proponents of the rules predict a variety of dire consequences that will flow from elimination of the rules. But all these predictions of doom assume that every time a clearance or exclusivity issue comes up in the course of network/affiliate negotiations, the network will always be able to obtain whatever concessions it demands. This assumption is totally at odds with marketplace realities and with the real-world experience of the three original networks and all of their affiliates in contract re-negotiations that have occurred over the past 18 months. This assumption would only be valid if the networks had market power over their affiliates, and it is clear from this recent experience, and from the record developed in this and other recent Commission proceedings, that they do not.

The Commission has already concluded that NBC, CBS and ABC do not have market power in the production or distribution of programming, and do not control the access of advertisers to audiences.[3] Nothing submitted in this proceeding supports a

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[3] Prime Time Access Rule, 78 RR 2d 1076 (1995); Evaluation of the Syndication and Financial Interest Rules, 8 FCC Rcd 3282 (1993). The networks' alleged power over their affiliates has not been enhanced by the repeal of these two rules. All the networks have gained is the opportunity to compete in the marketplace for program financing, production and distribution. There are no guarantees that programs

different conclusion when it comes to the network/affiliate relationship. At best, the filings really amount to arguments that, in certain markets, a network may have more bargaining power than the station on the other side of the negotiation. But bargaining power is not market power. Where there is no market power, there is no public interest justification for a rule that prevents stations and networks from agreeing to certain mutually-acceptable contract terms. And where there is no market power, neither competition policy nor the public interest requires the Commission to sit at the bargaining table to make sure one side doesn't get a better deal than the other.

III. THE ECONOMIC ANALYSIS SUBMITTED BY NERA DOES NOT DEMONSTRATE THAT THE NETWORKS HAVE MARKET OR NEGOTIATING POWER OVER THEIR AFFILIATES WARRANTING GOVERNMENT REGULATION OF THE TERMS OF AFFILIATION CONTRACTS

The economic study by National Economic Research Associates, Inc. ("NERA"), submitted with the Comments of the Network Affiliated Station Alliance ("NASA"), attempts to demonstrate that, as measured by both "external" and "direct" factors, the balance of power in the network/affiliate relationship has not changed since 1980. Of course, NERA does not, because it cannot, argue that any of these factors is indicative of network market power. Indeed, NERA admits that the power it is talking about is

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networks produce or finance will be distributed in syndication, cleared by affiliates, or will succeed in the marketplace.

"negotiating power" (NERA Study, p. 2). If this is the thrust of NERA's Study, its value in determining whether the network/affiliate rules are necessary or appropriate is questionable, at best.

Moreover, the central premise of the economic Study submitted by NERA -- that in the past 15 years there have been no changes in the external marketplace factors affecting the relative bargaining power of networks and affiliates, or in various "direct measures" of that relative power -- is preposterous on its face, and any economic study based on such a premise should be dismissed out of hand. It defies everything we know about the competitive trends in the television industry -- trends that have been described in numerous Commission, proceedings final decisions and official studies.

There have been seismic "macro" changes in the television industry since 1980, including the explosion of new distribution outlets (e.g., television stations, cable systems, wireless cable and DBS) and sources of programming (e.g., the Fox, UPN and WB Networks, a vibrant syndication market and cable programming services). It defies common sense to contend that these changes have had no impact on the network/affiliate relationship. Focusing more narrowly on network/affiliate bargaining power, that, too, has fundamentally changed, especially since the Fox/New World deal 18 months ago triggered a virtual reordering of the structure of the relationship. According to NERA's own data, there has been a record number of affiliation switches in 1994 and 1995, which started in the larger markets, rolled through medium-sized markets and are still occurring in smaller communities.[4] The three original networks have doubled the amount of compensation paid to stations, mainly to convince their current affiliates not to switch. How can a study that contends that the network/affiliate relationship is no different today than it was in 1980 be deemed credible?

In these Reply Comments, NBC will critique the individual analyses and conclusions of the NERA study. But we submit that the specifics of a study that is premised on the view that the world has not changed since 1980 simply cannot be taken seriously.

There are many flaws in NERA's study, but there is a pervasive one that affects the validity of NERA's entire effort. NERA tries to mask the dramatic changes in the marketplace and in the network/affiliate relationship since the rules in question were adopted in 1941 by choosing 1980 as the Study's baseline year for purposes of comparative analysis.[5] NERA's excuse is

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[4] Just this month NBC's affiliate in Binghamton, New York (the 151st market), announced it was switching to the Fox Network.

[5] NERA's end point in 1993 is also inappropriate in that it does not include data relating to the "affiliate wars" that

that the NISS concluded its comprehensive analysis of the network/affiliate rules in 1980, and recommended that all five rules in question be repealed. Since the Commission "took no action" at that time, NERA claims the relevant analysis is whether and to what extent the factors that might affect the relative negotiating power of networks and local stations have changed since the Commission failed to adopt the NISS recommendations (NERA Study p. 2).

NERA's implication that in 1980 the Commission rejected the NISS analysis or recommendations is, as the Commission knows, completely disingenuous. The Commission may not have acted on this particular aspect of the NISS report, but it did not disavow the analysis or come to any different conclusions.[6] Since the NISS found unequivocally that the rules failed to advance the Commission's competition and diversity goals, and were unnecessary and injurious to the public interest, the appropriate question 15 years later is not the one NERA poses (whether marketplace changes since 1980 have given affiliates more negotiating power relative to networks), but whether marketplace changes undermine the validity of any of the findings or conclusions of the NISS Report. No one filing comments in this

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followed the Fox/New World deal, nor does it account for the launch of the UPN and WB Networks.

6 Indeed, the Commission initiated a rulemaking to reexamine the financial interest and syndication rules on the basis of recommendations in the NISS Report that they be repealed.

proceeding, including NERA and NASA, contends that they do. And several parties, including NBC, have clearly demonstrated that marketplace changes since 1980 reinforce the findings and conclusions of the NISS. The burden, therefore, is on the proponents of the rules to demonstrate why the Commission at long last should not adopt the NISS recommendations and eliminate the rules. This is a burden they have not sustained.

Beyond using an inappropriate point in time to begin measuring changes in the marketplace and shifts in the balance of network/affiliate negotiating power, NERA's Study does not successfully demonstrate that networks have the power to "force" their affiliates to accept contract terms they would otherwise resist, and that government prohibitions against such contract terms are therefore necessary and appropriate. Moreover, NERA's Study does not even address the NISS' conclusion that the rules fail to achieve any valid Commission goal -- that they merely make the network/affiliate system less efficient. NBC will comment below on some of the more salient flaws in NERA's analysis.

A. External Factors and The Network Affiliate Relationship

NERA contends that external marketplace factors identified in the Notice of Proposed Rulemaking have not, in fact, altered the relative negotiating power of networks and affiliates. However, a close examination of NERA's analysis reveals that this conclusion is erroneous.

Growth in the Number of Networks and Stations. NERA's analysis counts the increased number of networks and stations since 1980 and concludes that while the absolute numbers have increased in both categories, in relative terms there are now more markets with stations in excess of networks than there were 15 years ago. NERA concludes that networks therefore have even more power over affiliates than in 1980.

NERA is essentially saying that 6 or 7 competing stations in a market where there are 6 different networks with which to affiliate (the situation today), have no more negotiating power than 2 or 3 stations in a market where there are only 2 networks (the situation in 1941). This view is diametrically inconsistent with fundamental precepts of competition analysis and policy, and with the Commission's longstanding belief that increasing the number of competitors leads inevitably to more competition. The mere fact that the number of networks has increased three-fold, and that national syndication is now a multi-billion dollar business, changes the nature of competition for affiliations as well as the outcome of network/affiliate bargaining.

Clearly, a marketplace that contains several stations and networks is more competitive than one that contains only two of each. Clearly, television stations in the 1995 marketplace have more alternative programming choices than radio stations had in 1941. Even accepting NERA's contention that UPN and WB are not yet full-fledged networks comparable to the other four, the fact is that they offer "independent" stations a source of high quality programming. Stations also have access to a healthy national syndication market. While a network affiliation may still be the more attractive than other alternatives, it is not the <u>sine qua non</u> to station survival it once was. Stations that are not affiliated with NBC, ABC, CBS or Fox are clearly better off than they were in 1980, and light years ahead of unaffiliated radio stations in 1941.

The effect of the emergence of new networks and successful national syndicators on competition and affiliate bargaining power is evident from NERA's own data. Table 3 of the NERA Study shows a dramatic increase in affiliation switches in 1994 and 1995, most of them from one of the three traditional networks to the Fox Network.[7] As NERA points out, by 1994 Fox had expanded its programming to seven nights a week, and it was in 1994 that Fox acquired the rights to NFL football.[8] Moreover, looking only at the relatively small number of affiliates who switched from one network to another fails to account for the increased

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[7] In these two years alone there were a total of 50 affiliate switches. In the previous eight years there were 28.

[8] According to Table 3, prior to 1994, only 2 stations switched affiliation from one of the three original networks to Fox. There were 27 such switches during 1994 and 1995.

leverage of the stations that did not switch -- the stations that were able to negotiate new affiliation deals with significantly increased compensation before they would agree to stay with their current networks. In NBC's case, for example, 87% of the incremental station compensation paid since the onset of the "affiliate wars" following the Fox/New World deal in May, 1994, has been paid to stations that remained NBC affiliates, not to stations that agreed to switch. It is clear that all affiliates now enjoy increased bargaining leverage in dealing with both their own and competing networks.

Group Ownership. NERA's Study purports to demonstrate that affiliates cannot take greater advantage of the increased negotiating leverage of group ownership because there has been no increase in the number of group owned stations since 1980. However, the Study does not address the truly relevant question: whether there has been increased group ownership of stations that are affiliated with a network. NERA's findings relating to group ownership of all stations have little or no relevance to the issues at stake in this proceeding.

Continued Attractiveness of Affiliation. One of the main contentions of the proponents of the rules is that because a network affiliation remains more economically attractive than operating a station as an independent, a station will routinely cave in to any network negotiating demand rather than risk the loss of affiliation. No one -- certainly not the networks -- has denied that network affiliation is an attractive proposition. Indeed, the networks have often cited the efficiency of the network/affiliate system as a reason to eliminate ancient regulations (such as the ones at issue in this proceeding) that interfere with the potential to realize the maximum efficiencies of the system, and the opportunity to achieve maximum value for stations, networks and the public.[9] The issue for the Commission, however, is not whether stations can make more money as affiliates than as independents, but whether being an independent is so unattractive that networks wield market power because stations will do anything to become or remain an affiliate.

We submit NERA's own data demonstrate this is not the case. According to Table 9A, the cash flow margin of the average independent station in 1993 was 27%. This is hardly the brink of bankruptcy. The reason independent stations today can generate margins that would be the envy of most U.S. businesses, is because quality programming is available to them.[10] The

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9 Table 11 of the NERA Study, which shows that Fox affiliates have higher ratings now than they did when they were independent stations, demonstrates that networks are efficient and create value for stations.

10 Indeed, data submitted to the Commission in the Prime Time Access Rule proceeding indicates that the financial performance of UHF independents is better than UHF network affiliates. Economists Incorporated, An Economic Analysis of the Prime Time Access Rule, MM Docket No. 94-123, March 7,

availability of popular programming has made independent stations increasingly formidable competitors to network affiliates. In 1984, before the launch of the Fox Network, independent stations' prime time viewing share was a 16. Ten years later in 1994, independent stations achieved a 15 share of audience in prime time. But if Fox affiliates are included as "independents," the independents' share climbs to a 23. Thus, the group of stations that were considered independents ten years ago have increased their prime time share of audience by 44%, and the subset of those stations that did not become Fox affiliates have essentially maintained their audience share despite increased competition from cable and satellite-delivered programming services. In contrast, prime time viewing shares of affiliates of the original three networks have declined from a 74 in 1984 to a 56 last year, and continue to fall.

This is a far different situation than the one the Commission confronted in 1941. Surely stations cannot claim that the networks have market power they are impotent to resist because they would prefer the cash flow margin of the average affiliate (39% according to NERA) to the 27% margin the average independent station achieves.

B. Direct Measures of the Network Affiliate Relationship

NERA also contends that "direct" measures of the relative

1995, pp. 54-55.

bargaining position of networks and affiliates reveal that networks retain an advantage over local stations. But this portion of the Study is also flawed.

Network Compensation. NERA contends that network compensation increased only slightly between 1980 and 1993, and actually declined on an inflation-adjusted basis. But NERA fails to account for the increases in compensation that have occurred in 1994 and 1995, and, as a result, its analysis provides a totally inaccurate picture of the trend in network station compensation.[11] NBC's station compensation today is at an historical high. In 1995, NBC is paying twice as much station compensation as it was paying in 1993, and almost 80% more than it was paying in 1983. To the extent increased compensation is an accurate reflection of increased affiliate bargaining power, the events of the past year clearly indicate that, for NBC at least, a dramatic shift has occurred.

NERA's analysis is also suspect for the following reasons. First, NERA's own data (Table 4) indicate that virtually all the new affiliates of the three original networks since 1980 have

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[11] NERA claims that its findings would not be different in inflation-adjusted dollars if the analysis accounted for the $100-200 million in increased compensation paid this year in the wake of the Fox/New World deal. We question that conclusion, as well as whether the press reports on which NERA relies accurately reflect the true amount of incremental compensation the three networks are paying in 1995.

been UHF stations.[12] Furthermore, most of them have been in smaller markets. One would expect that compensation for the "typical" (i.e., median) affiliate would decline as the relative number of UHF and small market affiliates increased.[13] Second, NERA's analysis does not take into account the decrease in the number of hours programmed by the networks, e.g., in daytime, which also may have affected the compensation paid to the "typical" affiliate.

Network and Affiliate Profitability. NERA does not explain why the relative profitability of networks and affiliates reflects their relative bargaining power, but assuming that it does, NERA's analysis mixes apples and oranges in a way that makes it both unconvincing and of little use. Table 15 compares the total profits of the three networks to the profits of an average (or median) affiliate. Total affiliate profits are not shown. In addition, the only way NERA can demonstrate higher profits for networks than for the average or typical affiliate is by excluding network O&O's -- which are typically highly profitable stations in large markets -- from the affiliate profitability figures. This may skew the results to support the

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12 The number of UHF affiliates of NBC, CBS and ABC increased from 128 to 165 between 1980 and 1995; the number of VHF affiliates for these networks declined during this period from 477 to 472.

13 These stations are less likely to have strong local news operations, which typically translates into higher ratings for network programming.

point NERA wants to make, but it is hardly an accurate reflection of affiliate profitability.

<u>Network Clearance Rates</u>. NERA claims network clearance rates have not diminished since 1980, which it argues indicates the availability of other programming sources has not lessened network "power." NERA tries to make light of the fact that non-prime time clearances have remained high because networks have significantly reduced the number of hours they program, and, in NBC's case, don't insist on live clearances. But the reduction in the number of hours programmed by the networks is highly relevant and vivid testimony to (1) the availability of alternative sources of programming, (2) affiliates' ability and willingness to take advantage of these sources and (3) networks' inability to stop them from doing so. As for prime time clearances, they have remained high because network prime time programming remains the most attractive choice available to local stations in terms of attracting audiences and selling advertising spots. Affiliates <u>choose</u> to clear these programs; network "power" has nothing to do with it.

IV. <u>CONCLUSION: THE NETWORK/AFFILIATE RULES SHOULD BE REPEALED</u>

The network/affiliate rules may, at the margin, give some stations in some markets some bargaining advantage. They do so by keeping certain contract terms off the table. But how does the public benefit if it is the case that both networks and stations have choices in today's marketplace? Would the public really be harmed if networks and stations could negotiate over exclusive affiliations, or could negotiate contract terms that govern the economic consequences when a station preempts a network program to run a baseball game? The answer is clearly no.[14] As the Staff of the Federal Trade Commission, one of the agencies responsible for enforcing U.S. competition policy, stated in its Comments in the Commission PTAR proceeding:

> The concern expressed in the NPRM about the relative bargaining positions of networks and their affiliates seems somewhat misplaced. The relative bargaining positions of a network and its affiliates may well have shifted over time, with a consequent change in the distribution of economic rents between the parties. What has not changed is the mutual incentive of a network and its affiliates to air programming that is attractive to audiences, and therefore valuable to

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[14] Elimination of the exclusive affiliation rule will not jeopardize new networks. First, according to their own Comments, UPN and WB do not rely heavily on secondary affiliations (WB has only 13 secondary affiliates, and UPN gets only 19% of its coverage through secondary affiliates). Second, exclusivity is unlikely even to be an issue in network/affiliate negotiations unless the market in question has fewer stations than networks. In such situations, a station will have more bargaining leverage than the networks, and can merely refuse to agree to exclusivity if it wants to be able to clear programs from another network. Third, in markets where there are more stations than networks, it would make more sense from a public policy perspective to encourage new networks to develop new primary affiliates (contributing to the strength of these stations) rather than piggy-backing on an existing network affiliate. It makes little sense for the Commission to prohibit exclusive affiliations so that UPN and WB can have secondary affiliates in a few markets, particularly since helping them in this respect ultimately discourages the creation of new stations or the strengthening of existing independent stations.

advertisers. (Comments of the Staff of the Bureau of Economics of the Federal Trade Commission in MM Docket 94-123, Review of the Prime Time Access Rule, March 7, 1995, fn. 38).

Thus, the rules are not required to protect the Commission's public interest concerns. On the other hand, the rules reduce competition and the efficiency of the network/affiliate system. As the NISS recognized 15 years ago, the detrimental effects of the rules injure broadcast networking and, ultimately, also injure the public. For these reasons, the network/affiliate rules should be repealed.

Respectfully submitted,

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